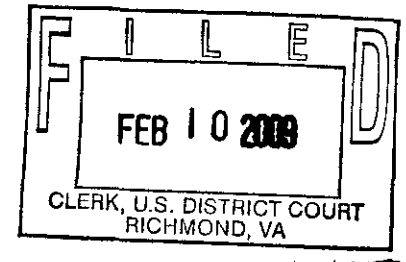


Kevin R. McCarthy, VSB 14273
William Douglas White
MCCARTHY & WHITE PLLC
1751 Pinnacle Drive – Suite 1115
McLean, Virginia 22102
Tel: (703) 770-9261
Fax: (703) 770-9266
krm@mccarthywhite.com



**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA**

| | | |
|---|---|--------------------------------|
| In re: |) | |
| |) | |
| Florida Power and Light Company, et al. |) | |
| |) | |
| v. |) | Case No. 3:09cv045 |
| |) | (Appeal from Bankruptcy Court) |
| Circuit City Stores, Inc. et al. |) | |

STIPULATION OF DISMISSAL

WHEREAS, on December 19, 2008, Appellants Florida Power & Light Company, Potomac Electric Power Company ("Pepco"), Delmarva Power & Light Company ("Delmarva"), Atlantic City Electric Company, Central Maine Power Company, Alabama Power Company ("APCO") and Baltimore Gas and Electric Company (hereinafter collectively the "Appellant Utilities") filed a notice of appeal of the Corrected Order Under Bankruptcy Code Sections 105, 363 and 366 and Bankruptcy Rule 6003 (Docket No. 832); and

WHEREAS, the issues on appeal have been resolved by agreements between each of the Appellant Utilities and the Appellees, and pursuant to those agreements, the Appellant Utilities have agreed to dismiss the appeal.

NOW THEREFORE, the parties hereby stipulate, by and through undersigned counsel, that the appeal shall be dismissed, with each party to bear its own costs and attorney fees.

Date: February 6, 2009

**A TRUE COPY, TESTE:
CLERK, U.S. DISTRICT COURT**

BY *CMC Cracken*
DEPUTY CLERK

/s/Kevin R. McCarthy

Kevin R. McCarthy, VSB 14273
William Douglas White
MCCARTHY & WHITE, PLLC
1751 Pinnacle Drive – Suite 1115
McLean, Virginia 22102
Tel: (703) 770-9261
krm@mccarthywhite.com
Counsel for Appellant Utilities

Gregg M. Galardi, Esq.
Ian S. Fredericks, Esq.
SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
One Rodney Square
Wilmington, Delaware 19899
Telephone: (302) 651-3000

and

Chris L. Dickerson, Esq.
SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
333 West Wacker Drive
Chicago, Illinois 60606
Telephone: (312) 407-0700

and

/s/Douglas M. Foley

Dion W. Hayes, Esq.
Douglas M. Foley, Esq.
MCGUIRE WOODS LLP
One James Center
901 E. Cary Street
Richmond, Virginia 23219
(804) 775-1000
Counsel for Circuit City Stores, Inc., et al., Debtors-in-possession

IT IS SO ORDERED this 9th day of February, 2009.

/s/

James R. Spencer
Chief United States District Judge

Imaged Certificate of Service Page 3 of 3
CERTIFICATE OF NOTICE

District/off: 0422-7
Case: 08-35653

User: jafarbayj
Form ID: pdforder

Page 1 of 1
Total Served: 1

Date Rcvd: Feb 12, 2009

The following entities were served by first class mail on Feb 14, 2009.
aty +Gregg M. Galardi, Skadden Arps Slate Meagher, & Flom LLP, One Rodney Sq., PO Box 636,
Wilmington, DE 19899-0636

The following entities were served by electronic transmission.
NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 14, 2009

Signature:

